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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,174	07/13/2006	Kyung-Hwan Kim	NEW.830001.US0	7128
26582	7590	09/17/2008		
HOLLAND & HART, LLP P.O BOX 8749 DENVER, CO 80201			EXAMINER MCMILLAN, JESSICA L	
			ART UNIT 2875	PAPER NUMBER
			MAIL DATE 09/17/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,174	<b>Applicant(s)</b> KIM, KYUNG-HWAN	
	<b>Examiner</b> JESSICA L. MCMILLAN	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7 is/are rejected.
- 7) ☒ Claim(s) 5,6 and 8-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/05/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |



## DETAILED ACTION

### *Claim Objections*

Claim 7 is objected to because of the following informalities: on line 2 of the claim, "the transparent units" should be changed to "the transport unit" because only transport units are claimed in independent claim 1. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wahl (US 6,568,836 B2)** in view of **Garcia et al. (US 5,355,804)**.

Regarding claims 1-4 and 7, Wahl discloses a track-movable lighting system comprising: a track (see figure 1) fixedly installed on a ceiling of a structure; a plurality of transport units (28,32,30) installed on the track, lighting devices (18) respectively installed on the transport units so that the lighting devices can move together with the movement of the transport units but is silent about control devices and the track include guide rails and trolley bars and the transport units comprising a motor and a collector for transmitting power.

Garcia et al. discloses a rail-guided apparatus carrying system that comprises control devices and guide rails lighting devices (see claim 1 of Garcia et al.), trolley bars (see column 3, lines 58-59), a motor (see abstract of Garcia et al.) and a collector for

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transmitting power (see claim 1 of Garcia et al.). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include control devices, guide rails, trolley bars, a motor and a collector for transmitting power in the device of Wahl as taught by Garcia in order to be able to control the movement of the lighting system and provide power to operate the system.

***Allowable Subject Matter***

Claims 5, 6 and 8-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: prior art taken alone or in combination, fails to disclose or render obvious, a track-movable light system wherein the guide rail is extended in a transverse direction and has an approximately C-shaped section and trolley bars arranged in series on the opened lower surface of the guide rail by insulators (claim 5), control devices including a personal computer (claim 6), a plurality of transport units installed on the track that are independently controlled by a corresponding control device (claim 7), an equipment for maintaining and cleaning lighting devices (claim 9), an automatic light washer (claim 10) and a plurality of dust protective covers continuously installed along a track (claim 11), in combination with the rest of the limitations of the claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JESSICA L. MCMILLAN whose telephone number is (571) 272-5510. The examiner can normally be reached on 8:00 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JLM  
September 10, 2008

/Stephen F. Husar/  
Primary Examiner, Art Unit 2875